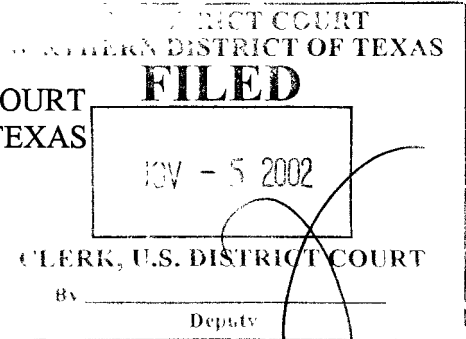


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



SABRE INC.,

Plaintiff,

v.

AIR CANADA INC.,

Defendant.

CIVIL ACTION NO. 3:02CV2016-L

**PLAINTIFF SABRE INC.'S BRIEF IN SUPPORT OF
MOTION TO RESET BRIEFING SCHEDULE**

Plaintiff Sabre Inc. ("Sabre") hereby files this Brief In Support of Motion to Reset Briefing Schedule previously set by this Court in relation to Air Canada's Motion to Dismiss For Forum Non Conveniens, Or, In The Alternative, To Stay On Grounds Of International Abstention ("Air Canada's Motion to Dismiss or Stay").

**I.
ARGUMENT**

On October 16, 2002, Air Canada filed its Motion to Dismiss or Stay. Through that Motion, Air Canada asks this Court not to exercise its jurisdiction over this matter in favor of a declaratory judgment action Air Canada filed in Canada despite, among other facts, that:

1. This case was filed first by a local and real plaintiff, Sabre Inc.;
2. Texas law governs this contract dispute; and
3. Air Canada contractually agreed to non-exclusive jurisdiction in Texas over any disputes arising out of the relevant agreement.

On October 25, 2002, Air Canada moved to supplement the record in this Court with a letter from the Canadian authorities, indicating that the Canadian court could rule on the merits

of the declaratory judgment action filed by Air Canada within approximately two to three months. While Sabre does not necessarily agree with that assessment, if that prediction proves to be close to accurate, any delay in this proceeding might deprive Sabre of its right to have this matter resolved by this Court. Indeed, Sabre believes that Air Canada's Motion to Dismiss or Stay is meritless and is merely being used as a tool to delay this action in favor of Air Canada's later-filed Motion for Declaratory Judgment.

While Sabre appreciates the additional time extended by this Court to respond to Air Canada's Motion to Dismiss or Stay, this additional time is not necessary and could well prove to be prejudicial to Sabre. In particular, allowing additional time over and above that normally allowed by Local Rules could prejudice Sabre by allowing the Canadian action to unilaterally move forward.

Consequently, Sabre has filed concurrently herewith its brief and evidence opposing Air Canada's Motion to Dismiss or Stay, and respectfully requests the Court to amend its Order of November 4, 2002, to require Air Canada to file any reply on or before November 25, 2002. Sabre further respectfully requests that any hearing on this matter be set as expeditiously as practicable, and within five days of the filing of Air Canada's reply brief if at all possible.

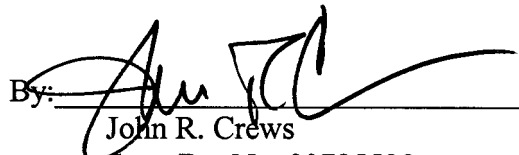
II. CONCLUSION

Based upon the above, Sabre respectfully requests that this Court grant its Motion to Reset Briefing Schedule and require that Air Canada be ordered to submit any reply in Support of Air Canada's Motion To Dismiss For Forum Non Conveniens, Or, In The Alternative, To Stay On Grounds of International Abstention by November 25, 2002. Sabre also respectfully requests that a hearing be set before this Court on Air Canada's Motion To Dismiss For Forum Non

Conveniens, Or, In The Alternative, To Stay On Grounds of International Abstention or before November 29, 2002.

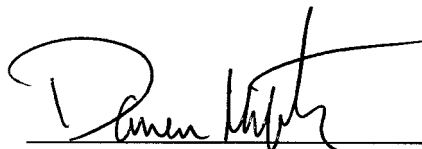
DATE: November 5th, 2002

Respectfully submitted,

By: 
John R. Crews
State Bar No. 00785529
Jon G. Shepherd
State Bar No. 00788402
Darren L. McCarty
State Bar No. 24007631
GIBSON, DUNN & CRUTCHER LLP
2100 McKinney Avenue, Suite 1100
Dallas, Texas 75201
Telephone: (214) 698-3100
Facsimile: (214) 698-3400
ATTORNEYS FOR PLAINTIFF SABRE
INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was sent via certified mail, return receipt requested to Stephen D. Susman, counsel Defendant, on the 5th day of November, 2002.


Darren L. McCarty

brief.doc